

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Shinichiro TAKASHIMA, et al.

SERIAL NO: 10/581,200

GAU: 1794

FILED: June 1, 2006

EXAMINER: THAKUR, VIREN

FOR: PACKAGE DRINK

TERMINAL DISCLAIMER

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

Now comes the undersigned, Attorney of Record in the present application, who avers as follows:

Kao Corporation is the owner of the entire right, title and interest in and to the invention claimed and disclosed in the above-captioned patent application by virtue of assignment, said Assignment having been recorded in the U.S. Patent and Trademark Office at reel no. 020536, frame(s) 0332-36.

Kao Corporation hereby disclaims the terminal part of any patent granted on the above-captioned application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173 as presently shortened by any terminal disclaimer of any patents issuing from application Serial Nos. 11/511,321, 10/532,727, 11/434,069 and 12/297,452, and hereby agrees that any patent so granted on said abovecaptioned application shall be enforceable only for and during such period that it and Serial Nos. 11/511,321, 10/532,727, 11/434,069 and 12/297,452 are commonly owned. This agreement runs with any patent granted on the above-captioned application and is binding upon the grantee, its successors or assigns.

Kao Corporation does not disclaim any terminal part of any patent granted on the above-captioned application that would extend to the full statutory term as defined in 35 U.S.C. 154 and 173 as presently shortened by any terminal disclaimer of any patents issuing from application Serial Nos. 11/511,321, 10/532,727, 11/434,069 and 12/297,452 in the event that any said issued patents later: expire for failure to pay a maintenance fee are held unenforceable, are found invalid, are statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a), have all claims canceled by a reexamination certificate, are reissued, or are otherwise terminated prior to the expiration of their statutory terms as presently shortened by any terminal disclaimer, except for the separation of common ownership stated above.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, L.L.P.

Norman F. Oblon



Richard L. Chinn, Ph.D.
Registration No. 34,305

4. 22-10

Date Signed

Customer Number

22850

Tel. (703) 413-3000
Fax. (703) 413-2220
(OSMMN 11/09)